

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

Andrew Lyles,

Plaintiff,

v.

Papendick et al

Defendants,

Case No.: 2:19-cv-10673

District Judge: Laurie J. Michelson

Magistrate Judge: Kimberly A. Altman

---

Ian T. Cross (P83367)  
Laurence H. Margolis (P69635)  
Attorneys for Plaintiff  
402 W. Liberty St.  
Ann Arbor, MI 48103  
(734) 994-9590  
ian@lawinannarbor.com  
larry@lawinannarbor.com

---

CHAPMAN LAW GROUP  
Ronald W. Chapman, Sr. (P37603)  
Devlin K. Scarber (P64352)  
Jeffrey Bomber, Jr. (P85407)  
Attorneys for Keith Papendick, M.D.  
1441 West Long Lake Rd., Suite 310  
Troy, MI 48098  
(248) 644-6326  
rchapman@chapmanlawgroup.com  
dscarber@chapmanlawgroup.com  
jbomber@chapmanlawgroup.com

---

**PLAINTIFF'S RULE 26(a)(3) PRETRIAL DISCLOSURES**

NOW COMES the Plaintiff, Andrew Lyles, by and through his attorneys, Ian T. Cross and Laurence H. Margolis, and for his Fed. R. Civ. P. 26(a)(3) disclosures, submits the following:

**(i) the name and, if not previously provided, the address and telephone number of each witness—separately identifying those the party expects to present and those it may call if the need arises:**

Will Call:

1. Andrew Lyles #667516  
Macomb Correctional Facility  
34625 26 Mile Road  
Lennox Township, MI 48048
2. Nancy Lyles  
7176 Pamela Dr.  
Ypsilanti, MI 48197  
(734) 482-8998
3. Aaron Lyles  
7176 Pamela Dr.  
Ypsilanti, MI 48197  
(734) 482-8998
4. Samantha Hensel  
108 Fechet Dr.  
Biloxi, MS 39531  
(734) 730-0808
5. Dr. Sharon Oliver, M.D.  
C/O Chapman Law Group
6. Dr. Keith Papendick, M.D.  
C/O Chapman Law Group

May Call:

Dr. Jason K. Shellnut  
Oakland Colon and Rectal Associates  
1121 Crooks Road  
Royal Oak, MI 48067  
(248) 541-8554

ARUS Reeves  
9625 Pierce Rd  
Freeland, MI 48623  
(989) 695-9880

Natashia Whitworth, R.N  
3801 E. South St.  
Jackson, MI 49201

Jon-Paul Remus, R.N.  
7331 Browns Lake Rd.  
Jackson, MI 49201

Muara Adams  
2328 Cooper St.  
Jackson, MI 49201

Rachel Hullet  
205 Oak Grove Ave.  
Jackson, MI 49203

Sheryl Mullenix  
9555 Maines Rd.  
Parma, MI 49269

Edward Richle  
8480 King Rd.  
Parma, MI 49269

Sonya Fulks  
8635 Benn Rd.  
Parma, MI 49269  
(517) 936-4333

Mariah Palmer  
2769 Granada Dr.  
Jackson, MI 49202  
(517) 740-7374

Margaret Ouellette, P.A.  
4791 Black Rd.  
Osseo, MI 49266

Tana Hill, P.A.  
1102 S. Durand St.  
Jackson, MI 49203

Dr. Elaina Graham  
701 Woodfield Dr.  
Jackson, MI 49203

Savithri Kakani, P.A.  
1269 Scott Ridge Dr.  
Adrian, MI 49221

Wendy Liu, N.P.  
1490 Sherman Wood Dr.  
Jackson, MI 49203

Steven Bergman, D.O.  
2368 Cascade Lake Cir, S.E.  
Grand Rapids, MI 49549  
(616) 527-3100

Rickey Coleman, D.O.  
4321 Arcada Dr.  
Alma, MI 48801  
(734) 282-5502

Jenelle Brenner, LPN  
1189 Crandall Rd.  
Litchfield, MI 49252

Amber Quinn, R.N.  
396 Catholic Church Rd.  
Leslie, MI 49251

Erica Hoffman, R.N.  
1010 N. Madison Ave.  
Bay City, MI 48708  
(989) 316-8160

Johnlette Harlin, P.A.

Monroe County Health Department  
2353 S. Custer Rd.  
Monroe, MI 48161  
(734) 240-7800

Andrew Phelps  
206 E. Michigan Ave.  
Lansing, MI 48933  
(517) 335-4194  
(517) 373-9926

Barbara Brown  
206 E. Michigan Ave.  
Lansing, MI 48933  
(517) 241-5239

Cheryl Groves  
206 E. Michigan Ave.  
Lansing, MI 48933  
(517) 335-4194  
(517) 373-9926

Alexander Lyles  
7176 Pamela Dr.  
Ypsilanti, MI 48197  
(734) 482-8998

Adam Lyles  
7176 Pamela Dr.  
Ypsilanti, MI 48197  
(734) 482-8998

Dr. Anthony T. DeBenedet, M.D.  
2614 English Oak Dr.  
Ann Arbor, MI 48103  
(734) 276-9362

Dr. Myung (Scott) Choi, M.D.  
7915 Lake Manassa Dr., Suite 302  
Gainsville, Va 20155  
(571) 248-0653

Any necessary authentication witnesses

Any witness called by Defendant or listed on Defendant's witness list

Any necessary rebuttal witnesses

**ii) the designation of those witnesses whose testimony the party expects to present by deposition and, if not taken stenographically, a transcript of the pertinent parts of the deposition.**

1) Deposition of Samantha Hensel, taken by Defendants on June 16, 2021. On January 25, 2023, Defense counsel informed Plaintiff's counsel that they intend to file a motion to adjourn the trial date in this matter due to a scheduling conflict. Plaintiff will not oppose the motion. If Ms. Hensel is unable to appear in person at the eventual trial date, and the Court does not allow her testimony via videoconference, Plaintiff may seek to present the testimony of Ms. Hensel by reading a portion of her deposition transcript into the record. Ms. Hensel is "unavailable" under Fed. R. Evid. R. 804(a)(5)(A) because she presently resides in Biloxi, Mississippi, outside of this Court's subpoena power. If Plaintiff cannot present Ms. Hensel's testimony other than by reading her deposition into the record, Plaintiff will seek to read pages 42-48.

**iii) an identification of each document or other exhibit, including summaries of other evidence—separately identifying those items the party expects to offer and those it may offer if the need arises.**

EXHIBITS PLAINTIFF EXPECTS TO OFFER:

1) Job performance evaluations of Dr. Keith Papendick.

- 2) Selected email correspondence of Dr. Keith Papendick
- 3) InterQual Criteria for Acute Lower GI Bleed (Adult 2016)
- 4) InterQual Criteria for Positive FOBT Test (Adult 2016)
- 5) Plaintiff's medical records
- 6) Photographs of Plaintiff

EXHIBITS PLAINTIFF MAY OFFER:

- 1) Portions of transcripts of depositions Dr. Keith Papendick taken in *Wright v. Corizon Health, Inc.*, 2:16-cv-12113 (E.D. Mich.), *Spiller v. Stieve*, 18-cv-00692 (W.D. Mich.), and *Lashuay v. DeLine*, 1:17-cv-13581 (E.D. Mich.).
- 2) Selected Expert Reports, Declarations/Affidavits, and correspondence of Dr. Randall Stoltz, M.D.
- 3) Calendars and notes maintained by Plaintiff and by Nancy Lyles
- 4) Defendant Keith Papendick's answers to Plaintiff's Interrogatories and Requests to Produce.
- 5) Demonstrative exhibits consisting of images or models showing the anatomy of the human colon, pyoderma gangrenosum, and aphthous ulceration.
- 6) Powerpoint presentations during opening statements and closing arguments, including pop-up text from any of the above-identified exhibits

Dated: January 30, 2023

/s/ Ian T. Cross

Ian T. Cross (P83367)

Laurence H. Margolis (P69635)

Attorneys for Plaintiff